

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

JOSE L. RIVERA FRANCO

DEBTOR (S)

CASE NO.: 14-02765 ESL

CHAPTER 13

**NOTICE OF FILING AMENDED SCHEDULES "A", "B" & "C"**

TO THE HONORABLE COURT:

**COMES NOW** debtor(s) in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. Debtor(s) respectfully submits Amended Schedules "A", "B" & "C" to include widow usufruct, debtor's personal property and to take the correct exemptions.
2. Attached to this motion debtor submits Amended Schedules "A", "B" & "C".

**I CERTIFY** that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants and parties in interest, in the present case.

**RESPECTFULLY SUBMITTED.**

In Cayey, Puerto Rico this 22<sup>th</sup> day of May, 2014.

/s/Miriam A. Murphy Lightbourn  
**MIRIAM A. MURPHY LIGHTBOURN**  
**USDC 202814**  
**PO BOX 372519**  
**CAYEY, PUERTO RICO 00737**  
**TEL.: (787)263-2377; (787)738-0404**  
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IN RE RIVERA FRANCO, JOSE LUISCase No. 14-2765

Debtor(s)

(If known)

**AMENDED SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
<b>HOUSE: CEMENT STRUCTURE WITH 2 LEVELS 3BR,LR,DR,K 2.5 BATHS IN PLOT OF LAND OF 1.34 CDAS LOCATED AT TOITA WARD, SECTOR EL QUENEPO, ROAD 14, KM 68.5 IN CAYEY PR. DEBTOR HAVE 50% OF THE PARTICIPATION; ANOTHER 50% IS OWNED BY SUCN. CARMEN MARTINEZ SAEZ COMPOSED OF 5 HEIRS TOTAL VALUE = \$142,000.00 LESS MORTGAGE LOAN \$105,520. = \$36,480. LESS LIQUIDATION EXPENSES \$17,952. = \$18,528. /2 = \$9,264. DEBTOR'S INTEREST: \$9,264. PLUS WIDOW USUFRUCT \$1,029.33 = \$10,293.</b>			<b>10,293.00</b>	<b>105,520.05</b>
		<b>TOTAL</b>	<b>10,293.00</b>	

(Report also on Summary of Schedules)

**AMENDED SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.	X	<b>BANCO POPULAR DE PR ACCOUNT: 2250 CHECKING</b>		0.00
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X	<b>HOUSEHOLD GOODS AND FURNISHING</b>		2,000.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X	<b>USED CLOTHING JEWELRY</b>		1,000.00
4. Household goods and furnishings, include audio, video, and computer equipment.	X			1,500.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issue.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			

**AMENDED SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.		PANTEON AT CEMENTERIO EL EDEN CIDRA PR DEBTOR HAVE 50% OF THE PARTICIPATION WITH Estate of CARMEN E MARTINEZ SAEZ TOTAL \$4,000.00 DEBTOR PARTICIPATION WITH SONS = \$2,000.00		2,000.00
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		INHERITANCE PROPERTY - SUCN. AGUSTIN RIVERA AND SUCN. LEONOR FRANCO COMPOSED OF 8 HEIRS; LOCATED AT BARRIADA POLVORIN, 22 9 STREET, CAYEY, PUERTO RICO. CONSISTS OF 2 BEDROOMS, 1 BATHROOM, KITCHEN AND LIVING ROOM. VALUED AT \$20,000. /8 = \$2,500.		2,500.00
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2002 MITSUBISHI LANCER VIN#JA3AJ36BX2U008001 TITLE#3000462 REGISTRATION#5945366 IN POSSESSION OF THIRD PARTY OMARIS RIVERA MARTINEZ		0.00
		2012 KIA VIN#KNAFT4A23C55399967 TITLE#11053720 REGISTRATION#11046991		15,000.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			

**B6B (Official Form 6B) (12/07) - Cont.**

**IN RE RIVERA FRANCO, JOSE LUIS**

Case No. 14-2765

(If known)

**AMENDED SCHEDULE B - PERSONAL PROPERTY  
(Continuation Sheet)**

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

**0** continuation sheets attached

(Include amounts from any continuation sheets attached.  
Report total also on Summary of Schedules.)

IN RE RIVERA FRANCO, JOSE LUIS

Debtor(s)

Case No. 14-2765

(If known)

**AMENDED SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemptions to which debtor is entitled under:  
(Check one box)

Check if debtor claims a homestead exemption that exceeds \$155,675. \*

- 11 U.S.C. § 522(b)(2)  
 11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
<b><u>SCHEDULE A - REAL PROPERTY</u></b>			
HOUSE: CEMENT STRUCTURE WITH 2 LEVELS 3BR,LR,DR,K 2.5 BATHS IN PLOT OF LAND OF 1.34 CDAS LOCATED AT TOITA WARD, SECTOR EL QUENEPITO, ROAD 14, KM 68.5 IN CAYEY PR. DEBTOR HAVE 50% OF THE PARTICIPATION; ANOTHER 50% IS OWNED BY SUCN. CARMEN MARTINEZ SAEZ COMPOSED OF 5 HEIRS) TOTAL VALUE = \$142,000.00 LESS MORTGAGE LOAN \$105,520. = \$36,480. LESS LIQUIDATION EXPENSES \$17,952.= \$18,528. /2 = \$9,264. DEBTOR'S INTEREST: \$9,264. PLUS WIDOW USUFRUCT \$1,029.33 = \$10,293.	11 USC § 522(d)(1)	10,293.00	10,293.00
<b><u>SCHEDULE B - PERSONAL PROPERTY</u></b>			
HOUSEHOLD GOODS AND FURNISHING USED CLOTHING JEWELRY PANTEON AT CEMENTERIO EL EDEN CIDRA PR DEBTOR HAVE 50% OF THE PARTICIPATION WITH Estate of CARMEN E MARTINEZ SAEZ TOTAL \$4,000.00 DEBTOR PARTICIPATION WITH SONS = \$2,000.00 INHERITANCE PROPERTY - SUCN. AGUSTIN RIVERA AND SUCN. LEONOR FRANCO COMPOSED OF 8 HEIRS; LOCATED AT BARRIADA POLVORIN, 22 9 STREET, CAYEY, PUERTO RICO. CONSISTS OF 2 BEDROOMS, 1 BATHROOM, KITCHEN AND LIVING ROOM. VALUED AT \$20,000. /8 = \$2,500. 2012 KIA VIN#KNAFT4A23C55399967 TITLE#11053720 REGISTRATION#11046991	11 USC § 522(d)(3) 11 USC § 522(d)(3) 11 USC § 522(d)(4) 11 USC § 522(d)(5)  11 USC § 522(d)(5)  11 USC § 522(d)(2)	2,000.00 1,000.00 1,500.00 1,225.00  2,500.00  560.59	2,000.00 1,000.00 1,500.00 2,000.00  2,500.00  15,000.00

\* Amount subject to adjustment on 4/1/16 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6 Declaration (Official Form 6 - Declaration) (12/07)

IN RE RIVERA FRANCO, JOSE LUIS

Debtor(s)

Case No. 14-2765

(If known)

**AMENDED DECLARATION CONCERNING DEBTOR'S SCHEDULES****DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 16 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: May 22, 2014Signature: /s/ JOSE LUIS RIVERA FRANCO  
**JOSE LUIS RIVERA FRANCO**

Debtor

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Joint Debtor, if any)

[If joint case, both spouses must sign.]

**DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

Address \_\_\_\_\_

Signature of Bankruptcy Petition Preparer \_\_\_\_\_

Date \_\_\_\_\_

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.